

Application No.: 10/698345

Case No.: 59007US002

Remarks

Claims 1-29 are pending. Claims 10, 15, 18 and 23 have been canceled. Claims 24 to 29 have been withdrawn from consideration. Claims 1, 11, 12, 16, 17 and 19 are amended.

Election/Restriction

The Applicant confirms the election of Group I, Claims 1-23 drawn to an apparatus for dispensing an adhesive film onto an elongated structure, classified in class 156, subclass 577. Claims 24-29, drawn to a method of dispensing an adhesive film onto an elongated structure are withdrawn from further consideration as being drawn to a non-elected invention.

Claims Objections

Claim 23 is objected to as being of improper dependent form for failing to limit the subject matter of a previous claim. The Examiner states that it is unclear how Claim 23 provides any structural limitations for further limiting the apparatus of Claim 12. Applicant has cancelled Claim 23.

Claim 17 is objected to because of an informality. Applicant has corrected Claim 17 as suggested by the Examiner. This amendment does not, and is not intended to, limit the scope of Claim 17 as originally filed.

§ 102 Rejections

Claims 1-6, 8-13 and 15-23 stand rejected under 35 USC § 102(b) as being anticipated by U.S. Patent Number 6,450,228 to McLeod et al. ("McLeod"). Claim 1 has been amended to incorporate the limitations of Claim 10. Claim 12 has been amended to incorporate the limitations of Claim 15 and 18.

The Examiner states that McLeod discloses a separation bar adjacent the trailing end of the apparatus, wherein the separation bar assists to separate a two-layer film unwound from the securely received film roll into a first layer and a second layer such that the first layer is directed in a forward direction onto the elongated structure while the second layer is directed in a

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backward direction toward the leading end of the apparatus. The Examiner then points to Figure 5 of McLeod as support.

However, in the embodiment disclosed in McLeod, the first layer which is applied to an elongated structure is not directed in a forward direction, but in a rearward direction. Applicant directs the Examiner to Figure 7 for clarification. One can clearly see that the film applied to an elongated structure is not directed in a forward direction, as recited in the present claims. Therefore, Claims 1 and 12, as amended, are not anticipated by McLeod. Claims 2-9 and 11 depend from Claim 1, and therefore are also not anticipated by McLeod. Claims 13-14, 16-17, and 19-22 depend from Claim 12, and are also not anticipated by McLeod.

Claims 1, 8, 9, 12, and 20-23 stand rejected under 35 USC § 102(b) as being anticipated by U.S. Patent Number 4,849,063 to McXinnon ("McXinnon"). Claim 1 has been amended to incorporate the limitations of Claim 10. Claim 12 has been amended to incorporate the limitations of Claims 15 and 18. As Claims 10, 15 and 18 are not rejected by the Examiner as anticipated by McXinnon, the amendment has made this rejection moot.

§ 103 Rejections

Claims 1-6, 8, 9, 12, 13 and 20-23 stand rejected under 35 USC § 103(a) as being unpatentable over McXinnon in view of McLeod. Claim 1 has been amended to incorporate the limitations of Claim 10. Claim 12 has been amended to incorporate the limitations of Claims 15 and 18. As claims 10, 15 and 18 are not rejected by the Examiner as being unpatentable over McXinnon in view of McLeod, the amendment has made the rejection moot.

Claims 7 and 14 are rejected under 35 USC § 103(a) as being unpatentable over McXinnon in view of McLeod and further in view of U.S. Patent Number 4,775,442 to Januska ("Januska"). Claim 1 has been amended to incorporate the limitations of Claim 10. Claim 7 depends from Claim 1. Claim 12 has been amended to incorporate the limitations of Claim 15 and 18. Claim 14 depends from Claim 12. Claims 1 and 12 are no longer rejected for the reasons presented above. Therefore, the rejection of Claims 7 and 14 are moot.

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In view of the above, it is submitted that the application is in condition for allowance.
Reconsideration of the application is requested.

Respectfully submitted,

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